Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of	)	
	)	
Revision of the Commission's Rules to Ensure Compatibility With Enhanced 911 Emergency Calling Systems	)	CC Docket No. 94-102
	)	
Amendment of Parts 2 and 25 to Implement the Global Mobile Personal Communications by Satellite (GMPCS) Memorandum of Understanding and Arrangements; Petition of the National Telecommunications and Information Administration to Amend Part 25 of the Commission's Rules to Establish Emissions Limits for Mobile and Portable Earth Stations Operating in the 1610-1660.5 MHz Band	)	IB Docket No. 99-67

REPLY COMMENTS OF VERIZON

The Commission's *Notice* is limited to the need for federal regulation of multi-line telephone systems.[1] The Telecommunications Industry Association ("TIA") offers an amorphous laundry list of future or evolving multi-line telephone system functionalities and operational platforms for which manufacturers may have difficulties transmitting, and LECs and

[1] The FCC has determined that E911 compliance issues regarding multi-line telephone systems are "best addressed at the state and local level." *Revision of the Commission's Rules to Ensure Compatibility With Enhanced 911 Emergency Calling Systems*, Report and Order and Second Further Notice of Proposed Rulemaking, 18 FCC Rcd 25340, n. 198 (2003) ("*Order*" or "*Notice*"). To the extent commenters disagree with that policy determination, those parties should have sought reconsideration of the *Order*. *See* Comments of the Association of Public-Safety Communications Officials-International, Inc., CC Docket No. 94-102, at 4-5 (filed Mar. 29, 2004) *("APCO Comments")*; Comments of the National Emergency Number Association and the National Association of State 911 Administrators, CC Docket No. 94-102 and IB Docket No. 99-67 (filed Mar. 29, 2004) ("*Comments of NENA and NASNA*"). NTCA is correct to suggest that revisiting that decision is premature, because state processes must be allowed the time to develop state-based solutions. *See* Comments of the National Telecommunications Cooperative Association, CC Docket No. 94-102, at 1 (filed Mar. 29, 2004) ("*NTCA Comments")*.

PSAPs may have difficulties receiving and processing, E911 location information.[2] Yet TIA has failed to provide any concrete proposals to resolve these issues, the majority of which relate to technological limitations distinct from the integration of these functionalities into multi-line telephone systems, *i.e.* wireless and VoIP-related concerns. As such, the need to incorporate these new technologies and new platforms into the E911 infrastructure should be addressed in more appropriate proceedings at the Commission as well as by a host of FCC and industry-backed for a that focus on the specific underlying technologies. Because LECs provide 911 and E911 access for the basic functionalities of multi-line telephone systems – a principle unchallenged by any commenter – these proceedings and for a must be permitted sufficient time and resources to develop future solutions.

TIA provides examples of new and/or developing functionalities of multi-line telephone systems (*e.g.*, temporary phones, in-building wireless users, remote access users, and IP-enabled devices) that may pose technical problems in providing accurate E911 location information for manufacturers, operators, LECs, and PSAPs. Many of these complications result from the underlying technologies at issue – wireless and IP-enabled – and should be addressed on a comprehensive basis in broader proceedings focusing on those technologies.[3]

For instance, because of the growth in IP-enabled and remote multi-line telephone systems, TIA suggests that 911 calls should include area code information, and that PSAPs be

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[2] *See Comments of the Telecommunications Industry Association*, CC Docket No. 94-102 and IB Docket No. 99-67 (filed Mar. 29, 2004) ("*TIA Comments*").

[3] Other concerns of TIA, including the need to provide accurate location information for users of temporary phones, seemingly can be addressed within the current network architecture, without significant LEC or PSAP modifications. *See TIA Comments* at 3-4. Specifically, multi-line telephone system operators can already provide LECs with updated location information whenever the user of a temporary phone changes locations through the normal database update process available to all multi-line telephone system operators.

required to transfer 911 calls to the most appropriate PSAP in the nation. *TIA Comments* at 5. However, 911 and E911 access issues related to the development of IP-enabled devices are more appropriately addressed in the comprehensive IP-enabled NPRM. Specifically in that proceeding, the Commission has solicited "comment … on the potential applicability of 911, E911, and related critical infrastructure regulation to VoIP and other IP-enabled services."[4] Acting on these issues in a piecemeal manner due to their potential incorporation into multi-line telephone systems would be counterproductive. Moreover, TIA has not proposed any specific upgrades or changes applicable to manufacturers, multi-line telephone system operators, LECs, or PSAPs. To the contrary, TIA acknowledges that "[i]ncreasing the accuracy of location identification [for these functions] will require a significantly longer development interval." *TIA Comments* at 4.

In addition, incorporating these new technologies and functionalities into E911 solutions is at the center of a number of FCC-sponsored and industry-based workshops and fora addressing E911 issues. By way of example, the Network Reliability and Interoperability Council VII ("NRIC") is specifically tasked by Chairman Powell to "help move our E911 systems to new levels of sophistication and reliability."[5] NRIC's charter requires it to "report on ways to improve emergency communications networks and related network architectures and facilitate

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[4] *IP-Enabled Services, Notice of Proposed Rulemaking*, FCC 04-28, ¶ 53 (rel. Mar. 10, 2004). The FCC has also acknowledged that "before we make any decision with respect to regulation, it is important that we develop a fuller understanding of the ways in which IP-enabled services or IP protocols can facilitate 911, E911, and critical infrastructure deployment and reduce attendant costs, both currently and in the future." *Id.*

[5] Remarks of Michael K. Powell, Chairman, Federal Communications Commission at the Network Reliability and Interoperability Council Meeting (Mar. 30, 2004) available at http://hraunfoss.fcc.gov/edocs_public/attachmatch/DOC-245553A1.pdf

the provision of emergency services through new technologies."[6] Over the next two years, NRIC will study and "[r]ecommend ways to provide location information to PSAPs for calls originating from multi-line telephone systems." *NRIC Charter* at 2. In the long-term, NRIC is tasked with "recommending specific architecture properties that emergency communications networks are to provide by the year 2010 along with a generic network architecture that meets those properties." *NRIC Charter* at 3.

Similarly, the FCC conducted a Solutions Summit last month addressing 911/E911 access for IP-enabled devices, which brought together key governmental officials, public safety officials, and industry leaders to study and evaluate the future shape of public safety access for IP-enabled devices. And, the industry likewise maintains a number of workshops and forums that address these issues.[7] Each of these fora provides an appropriate venue to move forward on the specific issues referenced by TIA.

Neither TIA, multi-line telephone system operators, nor the Commission can predict the types of network upgrades that may be necessary to provide E911 access to next-generation multi-line telephone systems. The technological developments that will permit basic and advanced E911 access for such devices and functionalities will likely require rounds of upgrades to LECs' central offices, costing millions of dollars and taking years to implement. Requiring duplicative or unnecessary upgrades today would not be cost-effective; nor would it result in any

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[6] Charter of the Network Reliability and Interoperability Council – VII, at 1 available at http://www.nric.org/charter_vii/index.html (last visited Apr. 23, 2004) ("*NRIC Charter*").

[7] Verizon will also work with individual manufacturers and multi-line telephone system operators to determine if desired network configurations or other requested changes are economically and technologically feasible.

apparent improvement with regard to E911 compliance for multi-line telephone systems.[8] As a result, an open-ended regulatory obligation forced upon LECs – such as NENA's proposed Part 64 rules – is not a sensible proposition, particularly prior to any final determinations as to the future network architecture for E911 access.[9]

[8] TIA notes that "[t]he improvements in features and functionalities must always be measured against the associated costs." *TIA Comments* at 6. This holds true for both manufacturers and LECs with regard to governmental access requirements for E911. As the National Telecommunications Cooperative Association recognized, "rural LECs should not be forced to bear the cost of any new regulatory requirements," and that rural LECs "must be permitted to recover their costs" associated with switch upgrades. *NTCA Comments* at 1, 4. If the FCC were to force LECs to upgrade or update central office equipment based on the request of individual customers, a corresponding cost-recovery mechanism would have to be established for *all* LECs. *See Verizon Comments*, CC Docket No. 94-102 and IB Docket No. 99-67 at 7, n. 10 (filed Mar. 29, 2004).

[9] NENA's proposed Part 64 regulations would permit individual multi-line telephone system operators to force LECs to provide E911 access using any "accepted industry standard." *Notice*, ¶ 117. LECs are already required under FCC rules to provide 911 access to all customers, including multi-line telephone system users. 47 C.F.R. § 64.3001 (2003).

Conclusion

The Commission should continue to encourage the industry to develop consensus solutions to expand E911 access to new technologies and new platforms, but no additional LEC access requirements are necessary to provide E911 access to multi-line telephone systems.

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